

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LINDA S. BROWN,)
vs.)
Plaintiff,)
vs.)
CASE NO. 3:12-1048
JUDGE SHARP/KNOWLES
CAPE ENVIRONMENTAL)
MANAGEMENT CAPE, INC.,)
Defendant.)

REPORT AND RECOMMENDATION

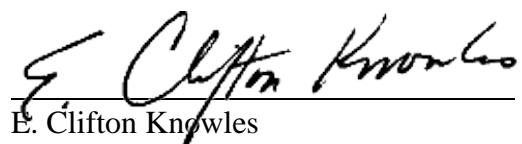
This matter is before the Court upon Defendant's "Motion to Dismiss for Failure to Prosecute," filed pursuant to Fed. R. Civ. P. 41(b). Docket No. 21. Defendant has also filed a supporting Memorandum. Docket No. 22. The Motion and accompanying Memorandum were filed August 1, 2013.

Plaintiff has not filed a Response to the instant Motion. Pursuant to Local Rule 7.01(b), Plaintiff’s “failure to file a timely Response . . . indicate[s] that there is no opposition to the Motion.”

For the foregoing reasons, the undersigned recommends that the instant Motion to Dismiss (Docket No. 21) be GRANTED.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any

response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
E. Clifton Knowles
United States Magistrate Judge